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/Joseph G. Swan/
Joseph G. Swan

PATENT
Atty. Docket No. 31045-101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John C. S. Koo

Serial No.: 10/613,741

Filed: July 3, 2003

For: SHOE HAVING A CONTOURED BOTTOM
WITH SMALL PARTICLES BONDED TO
THE LOWEST EXTENDING PORTIONS
THEREOF

Group Art Unit: 3728

Examiner: MOHANDESI, JILA M

Conf. No.: 5633

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.99, Applicant brings to the attention of the Examiner the references identified on the attached Form PTO/SB/08a, which the Examiner might consider to be material to patentability of the subject application. In addition, the Examiner is respectfully requested to review the file histories (including the analyses and conclusions reached by the patent office, together with the cited prior art) of U.S. Patent

Application Serial Nos. 10/438,375 (now U.S. Patent No. 7,191,549), 11/674,668 and 11/530,419, which are in the same family as the present application and which have related claims.

In accordance with 37 CFR §1.98, Applicant is not providing copies of any cited: (i) United States issued patents or published applications or (ii) patent, publication, pending U.S. application or other information previously submitted to, or cited by, the USPTO in U.S. Patent Application Serial No. 10/438,375 (which is relied on for an earlier effective filing date under 35 U.S.C. § 120). Applicant respectfully requests that the Examiner consider the cited references and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the cited documents constitute “prior art”. Applicant reserves the right to present to the Patent and Trademark Office relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the cited references, should one or more of the references be applied against the claims of the present application.

If there are any additional fees due in connection with the filing of the currently submitted papers that have not been accounted for in this paper or the accompanying papers, please charge the fees to our Deposit Account No. 502490. If an extension of time under 37 C.F.R. 1.136 is required for the filing of the currently submitted papers and is not accounted for in this paper or the accompanying papers, such an extension is requested and the fee (or any underpayment thereof) should also be charged to our Deposit Account.

Dated: September 21, 2009

Respectfully submitted,
JOSEPH G. SWAN, P.C.

JOSEPH G. SWAN
A PROFESSIONAL CORPORATION
1334 Parkview Avenue, Suite 100
Manhattan Beach, California 90266
(310) 372-8624 Tel.
(310) 356-3845 Fax

By /Joseph G. Swan/
Joseph G. Swan
Registration No. 41,338